

T1-Sanitary Subsurface Disposal General Permit (NJ0130281)

Draft Permit Renewal February 27, 2008

A. General Conditions

1. Scope

- a. This permit applies to all areas of the state of New Jersey.

2. Eligibility

- a. The categories of dischargers that can be authorized under this general permit are those which discharge sanitary sewage to ground water from facilities using individual subsurface sewage disposal systems. These are often referred to as "septic systems."
- b. These systems shall have been approved by the administrative authority (prior to January 1, 1990) in accordance with N.J.A.C. 7:9A, or applicable laws or regulations predating that rule. The aggregate daily design flow from these septic systems exceed 2,000 gallons per day (GPD) per property served (as determined in accordance with N.J.A.C. 7:9A). These individual subsurface sewage disposal systems receive and treat sanitary sewage and dispose only sanitary wastewater.
 - i. Sanitary sewage is defined at N.J.A.C. 7:14A-1.2 and means "any liquid waste containing animal or vegetable matter in suspension or solution, or water carried wastes resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers or any other source of water carried wastes of human origin or containing putrescible material." This term specifically excludes industrial, hazardous or toxic wastes and materials. However, this permit does allow for the responsible use and discharge of commonly used cleaning compounds that may enter the septic system.
 - ii. Examples of individual subsurface sewage disposal systems which may qualify for this permit include septic tanks with seepage pits, disposal fields, leach or tile fields (or an equivalent distribution mechanism); dry wells; injection wells and infiltration galleries. These may be regulated under a general permit as they involve the same or substantially similar operations with respect to the nature of the discharge activity, discharge the same type of wastes and engage in similar disposal practices, require the same operating conditions and standards for disposal, require the same monitoring and/or inspections of the system as a first defense against threat to human health and the environment and, in the opinion of the Department, are more appropriately controlled under a general permit than under separate, individual permits.
- c. Any facilities meeting the eligibility requirements above, that also have cesspools, privies, and/or outhouses, may be eligible for this permit but shall upgrade these methods of sewage disposal in accordance with the corrective action requirements below.
- d. If a facility is responsible for contravening the Ground Water Quality Standards, N.J.A.C.7:9C, the Department may revoke the authorization under this permit and shall regulate the facility under a more appropriate permit document, such as an individual NJPDES permit or authorization under another general permit, pursuant to N.J.A.C. 7:14A-6.13 and 16.4.

3. Request For Authorization

- a. A Request For Authorization (RFA) consists of:
 - i. A standard NJPDES-1 application form;
 - ii. A topographic map depicting the location of the facility;
 - iii. A plot plan as described in N.J.A.C. 7:14A-7.9;
 - iv. A T1 facility information form.

- b. A facility which has submitted a complete application for an individual discharge to ground water permit in accordance with N.J.A.C. 7:14A-4 or its regulatory precursors may, at the discretion of the Department, be authorized under this general permit without submission of a RFA, provided that the applicant meets all eligibility criteria for the T1 general permit. A complete application is considered to be the RFA.
- c. After a complete RFA has been submitted to the Department for consideration, the Department shall, in accordance with N.J.A.C. 7:14A-6.13, either:
 - i. Issue notification of authorization under this permit, in which case the authorization is effective as of the first day of the following month.
 - ii. Deny authorization under this permit and require submittal of an application for an individual permit; or
 - iii. Deny authorization under this permit and require submittal of an RFA for an authorization for another general permit.

4. Automatic Renewal of Authorization

- a. Renewal of this authorization shall be automatic upon reissuance of the general permit provided the authorized discharge continues to meet the eligibility criteria. The most recently submitted RFA shall be considered a timely and complete RFA. However, if the information provided in the RFA is no longer accurate, the permittee shall submit a new T1 facility information form or a complete RFA.

B. Operating Requirements

1. Visual inspections:

- a. A visual inspection of an individual subsurface sewage disposal system may include, but is not limited to, an inspection of all septic tanks, pumps, siphons, distribution boxes, and disposal fields. It is the permittee's responsibility to determine what appurtenances to include in the inspection, as access may vary from site to site. At a minimum, the immediate surroundings of the disposal areas shall be inspected to observe any evidence of malfunctioning. Said evidence may include, but is not limited to, breakout, ponding, wet areas, odors and an overabundance or loss of vegetative cover. If the aforementioned evidence of malfunction is discovered, the permittee shall institute corrective action as specified below.
- b. For systems which operate year round, visual inspections shall be conducted at a minimum frequency of monthly beginning 1 month following the Effective Date of Permit Authorization (EDPA).
- c. For systems operated seasonally, at least one visual inspection must be conducted each month (or parts of months) of operation.

2. Conduct training:

- a. Permittee shall ensure that all current employees are aware of the requirements of the permit.

3. Maintain all systems in good working order:

- a. The permittee shall ensure that each septic tank is pumped and inspected per procedures for septic tanks in "Technical Guidance for Inspections of Onsite Wastewater Treatment and Disposal Systems" at least once every 5 years by a licensed septic system hauler. Note: when a septic tank needs to be pumped more than once per year, it indicates a system that is not functioning optimally. When more frequent pumping is necessary to avoid malfunctions, the Department can require the permittee to hire a New Jersey licensed P.E. to determine the probable cause of the frequent pumping and to design a remedy.
- b. The use of non-hazardous chemicals, biological additives, or enzyme treatments is allowed but not considered to be an appropriate repair method. Such treatment is not authorized to be used in lieu of corrective action as required below.

4. Records maintenance:

a. Visual inspection log:

- i. Within thirty (30) calendar days of the effective date of the authorization, the permittee shall develop a visual inspection log which, at a minimum, fulfills the Inspection requirements of this permit. This log shall be maintained onsite at all times. The permittee may choose any organized method of recordkeeping as long as it meets the requirements of this permit.

b. Plot plan:

- i. The most up to date plot plan must be maintained onsite at all times. Locations of all septic tanks and

disposal areas must be detailed on the plot plan. Whenever septic systems are relocated, the plot plan must be updated once the construction of the new or updated septic systems is complete.

- ii. The Department at any time may request a copy of the plot plan.
- c. Emergency phone list: Within thirty (30) days of the EDPA, the permittee must compile an emergency phone list to be utilized in the event of an emergency situation. It is suggested these phone numbers, as well as descriptions of emergency situations and the required responses, be posted in a common area such as the facility office or maintenance building. Emergency situations include, but are not limited to; power failure, equipment malfunction, pump failure, septic tanks leaking, surfacing of effluent, clogged piping, etc. The emergency phone list shall at a minimum include:
 - i. Septic Hauler
 - ii. Facility Owner
 - iii. Licensed Operator or contracted septic system maintenance personnel (if applicable)
 - iv. Local Health Department
 - v. The appropriate NJDEP Regional Bureaus of Water Compliance & Enforcement Northern Field Office (Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex & Warren) (973) 656-4099
Central Field Office (Mercer, Middlesex, Monmouth, Ocean & Union) (609) 5844200
Southern Field Office (Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester & Salem) (856) 614-3655
 - vi. If the malfunction occurs during the evenings or weekends contact the NJDEP Hotline (1-877-WARNDEP/1-877-927-6337).
 - vii. You may also want to include local police, fire department, gas or electrical utilities, or an electrician.
- d. List of receipts of all items or substances, including chemical, biological or enzyme additives, purchased and used in the system.
- e. Record of septic tank pumping events
 - i. The permittee shall maintain a written record of the septic tank inspection and pumping events (including the volume removed) for each septic system as required above. All of these records are to be maintained for a 5 year period. These records shall be made available to Department personnel upon request.

5. Notifying the Department

- a. Prior to any change in ownership or operating entity of the regulated facility, the current permittee shall comply with the requirements of N.J.A.C. 7:14A-16.2, pertaining to notification of change of ownership.
- b. Certain activities or changes to a facility may require additional approvals or different levels of Department oversight. Examples of these situations are as follows:
 - i. If your facility is planning to alter or add a system, the permittee will need to apply to the Department for a Treatment Works Approval;
 - ii. If the use of the facility changes such that it results in an increase in volume of sanitary sewage, then the permittee shall notify the Department within ninety (90) days prior to the proposed implementation date. This type of change may result in the need for other Department approvals. One example of this type of change occurs when a facility adds additional seats to a restaurant.
 - iii. If a proposed change to the facility results in a change in the nature of the discharge such that it no longer meets the definition of "sanitary sewage" in accordance with N.J.A.C.7:14-1.2, the facility will no longer be eligible for this permit.

C. Corrective Action

- 1. The operation of an individual subsurface sewage disposal systems shall, at no time, create an unpermitted discharge to any surface water body. Therefore, if any inspection indicates the disposal area or any portion of the system is failing hydraulically (e.g. septic tanks leaking and causing septic tanks to refill within days of a pumping event, the ground becomes saturated and/or clogged and can no longer absorb effluent, or the seepage pits/dry wells become full so that effluent no longer infiltrates properly), the permittee shall:
 - a. Immediately cease discharge to the affected disposal area.
 - b. Contact the Bureau of Nonpoint Pollution Control (BNPC) at (609) 292-0407, and the appropriate regional

enforcement bureau to report the failure as soon as possible after it is observed.

- c. Determine the probable cause of malfunction and have a New Jersey licensed P.E. design a remedy.
 - i. If the cause was unintentional overloading of the disposal area due to unequal distribution of the discharge or heavy rain, snow melt, etc., the permittee shall not resume discharging until the affected disposal area drains and returns to operational status.
 - ii. If the system is undersized for the given flow or is physically clogged, then the discharge shall not resume until an approved measure has been taken to rectify the situation.
2. When an inspection of the individual subsurface sewage disposal systems identifies that maintenance is required to ensure continued proper operation of the system, said maintenance must be performed without delay. Within 48 hours, the permittee shall document the maintenance need in the inspection log and shall determine the course of action that will be taken to address the problem.
 - a. The permittee is allowed to perform "in-kind" repairs to all components, except to the disposal field as discussed below, without the need to obtain a treatment works approval. An "in-kind" repair means to replace worn, damaged, defective or inoperable wastewater pumps, septic tanks, and associated components, providing that the capacity and location will not change. It also includes rehabilitation or replacement of existing building sewer lines to the septic tanks or sewer lines that lead to the disposal field.
 - b. If a disposal field malfunctions due to mechanical problems, such as a broken pipe or root obstructions, the permittee is allowed to perform "in-kind" repairs.
 - c. The design engineer is allowed to substitute alternative technology (such as chambers) instead of conventional gravel and pipe disposal field installations, provided that the disposal field dimensions will not change. The professional engineer shall submit in writing to the permit issuing Bureau to certify that the modification will correct the malfunction.
3. The first time a disposal field malfunctions due to soil clogging or due to the presence of a seasonal high water table, as determined by a New Jersey Licensed Professional Engineer, the permittee may perform an "in-kind" repair, under the following conditions:
 - a. Submit written notice to the permit issuing Bureau.
 - b. All disposal field repairs must be overseen by a New Jersey Licensed Professional Engineer. To obtain authorization to perform an "In-kind" disposal field repair, the engineer must submit to the permit issuing Bureau a certification that explains the cause of the disposal field failure and that the previously approved design will remedy the malfunction.
 - c. If a 4 foot unsaturated zone of treatment does not exist with the present design, the permittee shall apply for a Treatment Works Approval (TWA) to alter the disposal field.
 - d. Repairs are not allowed for any cesspool, privy or outhouse or other method of sewage disposal not considered to be an individual subsurface sewage disposal system. All replacements to these methods of sewage disposal must be approved by a TWA.
 - e. Work beyond the scope of an "in-kind" repair will require a Treatment Works Approval (TWA), the permit issuing Bureau and the NJDEP Bureau of Financing and Construction shall be contacted prior to initiating any remedial work not discussed above (Northern facilities at (609) 292-3125 or Southern facilities at (609) 984-6840).
4. If a disposal field malfunctions due to soil clogging more than once within 5 years, the permittee must upgrade the system by using one of the following options:
 - a. Install a system designed using the requirements in N.J.A.C. 7:9A-8 through 10.
 - b. If the facility is a food service establishment, the permittee shall install a system designed using the design requirements in N.J.A.C. 7:9A-8 through 10 that also includes active grease treatment.
 - c. Install advanced technology to reduce the Total Suspended Solids and Biological Oxygen Demand loading. This shall be accomplished by installing an ANSI/NSF standard 40 certified pretreatment device (Aerobic Treatment Unit), or other method(s) approved by the Department. In addition, alternate methods of distributing wastewater (such as drip technology) may be approved by the Department. The use of these advanced technologies requires a licensed operator unless the permittee maintains a Department approved service and maintenance contract from an authorized service provider.
 - d. As a last resort, the permittee may use a permanent holding tank following the Department's approval.
5. If the regulated facility has small capacity cesspools (less than or equal to 2000 gallons per day), privies, or outhouses, these methods of sewage disposal shall be abandoned and replaced with systems that do not result in an increase in volume of

sanitary sewage. Replacement shall be completed , within 3 years from the effective date of the renewed permit authorization or the expiration date of this permit, whichever is sooner.

6. Large capacity cesspool(s) with a design flow greater than 2000 gallons per day shall be closed in accordance with the requirements of N.J.A.C. 7:14A-8.4(a)3i. These cesspools should have been closed by April 5, 2005. Any permittees with these types of sewage disposal remaining after this date must submit a closure plan within 30 days of authorization under this permit or within 30 days of discovery that your system is a large capacity cesspool. The closure plan must include an estimated timeframe for when the system is replaced with a adequate individual sewage disposal system.

D. Closure Requirements

1. When closing or abandoning any individual subsurface sewage disposal systems, the permittee should refer to N.J.A.C. 7:14A -8.16(d) or call the permit issuing Bureau for specific requirements.

E. General Conditions Applicable to all Permits

1. Compliance With Rules

- a. The permittee shall comply with any other applicable federal, state and local rules, regulations and ordinances. The issuance of this permit shall not be considered as a waiver from any of these other requirements.

2. The following conditions are incorporated by reference. The permittee is required to comply with the rules which were in effect as of the effective date of the final permit.

- a. General Permits (N.J.A.C. 7:14A-6.13)
- b. Penalties for Violations - N.J.A.C. 7:14-8.1 et seq.
- c. Consolidation of Permit Processing - N.J.A.C. 7:14A-15.5
- d. Incorporation by Reference - N.J.A.C. 7:14A-2.3
- e. Enforcement Action - N.J.A.C. 7:14A-2.9
- f. General Conditions Applicable to All Permittees - N.J.A.C. 7:14A-6.2 (see also section A.4.c.)
- g. Duty to Reapply - N.J.A.C. 7:14A-4.2(e) (see also section A.4.d.)
- h. Administrative Continuation of Permits - N.J.A.C. 7:14A-2.8
- i. Duty to Mitigate - N.J.A.C. 7:14A-6.2(a)5,6.2(a)1
- j. Permit Actions - N.J.A.C. 7:14A-2.7(c)
- k. Permit Duration and Renewal - N.J.A.C. 7:14A-2.7(a), (b)
- l. Effect of Permit - N.J.A.C. 7:14A-2.9(c) ,6.2(a)6&7 (see also section E. 1.)
- m. Inspection and Entry - N.J.A.C. 7:14A-2.11(e)
- n. Severability - N.J.A.C. 7:14A-2.2(b)
- o. Toxic Pollutants - N.J.A.C. 7:14A-6.2(a)4 (see also section E. 1.)
- p. Standard Reopener Clause - N.J.A.C. 7:14A-6.2(a)10
- q. General Permits - N.J.A.C. 7:14A-6.13
- r. Fee Schedule - N.J.A.C. 7:14A-3.1
- s. Treatment Works Approval (TWA) N.J.A.C. 7:14A-22.1 et seq.

3. Operation and Maintenance

- a. Proper Operation and Maintenance - N.J.A.C. 7:14A-6.12(a)
- b. Need to Halt or Reduce not a Defense - N.J.A.C. 7:14A-2.9(b)
- c. Bypass - N.J.A.C. 7:14A-6.11
- d. Upset - N.J.A.C. 7:14A-6.11

4. Records and Reporting Requirements

- a. Record Keeping - N.J.A.C. 7:14A-6.6
- b. Planned Changes - N.J.A.C. 7:14A-6.7
- c. Changes in Discharge - N.J.A.C. 7:14A-6.7
- d. Anticipated Noncompliance - N.J.A.C. 7:14A-6.7
- e. Transfer - N.J.A.C. 7:14A-6.2(a)8, 6.13(n), 16.1, 16.2
- f. Compliance Schedules - N.J.A.C. 7:14A-6.4
- g. Noncompliance Reporting - N.J.A.C. 7:14A-6.10
- h. Duty to Provide Information - N.J.A.C. 7:14A-2.11, 6.2(a)14
- i. Signatory Requirements - N.J.A.C. 7:14A-4.9
- j. Public Access to Information - N.J.A.C. 7:14A-18.1

- k. Additional Requirements for all Existing Manufacturing, Commercial Mining, Silviculture, and Research Facilities - N.J.A.C. 7:14A-11.3
- l. Missing or Incorrect Information - N.J.A.C. 7:14A-2.11(f), 6.10(e)2 & (f)3
- m. Confidentiality - N.J.A.C. 7:14A-18.2
- n. Copies of the NJPDES rules may be purchased by contacting:
LexisNexis
Albany, New York
1-800-223-1940
Copies are also available on the Division of Water Quality's website at:
www.state.nj.us/dep/dwq/rules